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Liaison Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

_____)	Master File No. C-06-4459 (RMW)
In re BEA SYSTEMS, INC. DERIVATIVE)	
LITIGATION)	STIPULATION AND []
_____)	ORDER POSTPONING THE HEARING
This Document Relates To:)	AND EXTENDING THE FILING
All Actions)	DATE FOR THE OPPOSITION
_____)	TO THE MOTION TO DISMISS

WHEREAS, on November 9, 2007, Plaintiffs filed a Second Amended Consolidated Shareholder Class and Derivative Complaint (the "SAC");

WHEREAS, on January 28, 2008, Nominal Defendant BEA Systems and Defendants Thomas M. Ashburn, Carol A. Bartz, Barbara J. Britton, Mark T. Carges, Sam Cece, Alfred S. Chuang, William T. Coleman, Mark P. Dentinger, Matthew S. Green, Stewart K.P. Gross, William M. Klein, Ivan M. Koon, William H. Janeway, Joseph H. Menard, Dean Morton, Tod Nielsen, Edward W. Scott, Jr., Robert A. Shipp and Deborah Stanley (collectively, "Defendants") filed their Corrected Motions to Dismiss the SAC;

STIPULATION POSTPONING THE HEARING AND EXTENDING THE FILING DATE FOR THE
OPPOSITION TO THE MOTION TO DISMISS
Case # C-06-4459 (RMW)

1 WHEREAS, a hearing has been scheduled for April 25, 2008 at 9 a.m. on the pending
2 Motions to Dismiss;

3 WHEREAS, the Parties have had numerous discussions related to the resolution of this
4 action, as well as the Oracle merger, and such discussions continue; and

5 WHEREAS, the Parties wish to change the briefing and the scheduled hearing on the
6 Motions to Dismiss in order to facilitate such further discussions.

7 THEREFORE, the Parties stipulate, subject to the approval of the Court, to the following:

- 8 1. Plaintiffs' time to file an opposition to Defendants' Motions to Dismiss shall be
9 extended to March 17, 2008.
- 10 2. The hearing scheduled for April 25, 2008 is hereby rescheduled to May 2, 2008 at
11 9:00 a.m.

12 DATED: March 6, 2007

SCHUBERT & REED LLP

13
14 /s/ Aaron H. Darsky
15 Robert C. Schubert
16 Juden Justice Reed
17 Willem F. Jonckheer
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Lead Counsel for Plaintiffs

26 DATED: March 6, 2008

WILSON SONSINI
GOODRICH & ROSATI

27 /s/ Ignacio E. Salceda
28 Ignacio E. Salceda

STIPULATION POSTPONING THE HEARING AND EXTENDING THE FILING DATE FOR THE
OPPOSITION TO THE MOTION TO DISMISS
Case # C-06-4459 (RMW)

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Inc. and Defendants Thomas M. Ashburn, Carol
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Coleman, Mark P. Dentinger, Matthew S. Green,
Stewart K.P. Gross, William M. Klein, Ivan M.
Koon, William H. Janeway, Joseph H. Menard,
Dean Morton, Tod Nielsen, Edward W. Scott, Jr.,
Robert A. Shipp and Deborah Stanley*

Attestation Pursuant To General Order 45


*I, Aaron H. Darsky, attest that concurrence in the filing of this document has been obtained from
the other signatory. I declare under penalty of perjury under the laws of the United States that
the foregoing is true and correct. Executed this 6th day of March, 2008 at San Francisco,
California.*

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 3/11/08



The Hon. Ronald M. Whyte
United States District Court Judge